



NEVADANS AGAINST GARBAGE

January 14, 2010

Jared Blumenfeld, Regional Administrator
US Environmental Protection Agency, Region 9
75 Hawthorne Street
San Francisco, CA 94105

Re: Jungo Disposal Site, Humboldt County, Nevada

Mr. Blumenfeld:

We are writing to you because of our concern with the construction and operation of a proposed "mega-fill" disposal site in Desert Valley, west of Winnemucca in Humboldt County, NV. A local petition recently identified 3,636 Humboldt County residents who also voiced their opposition to this project. As proposed, this landfill would become a repository for more than 2 billion pounds of garbage annually, imported from California for up to 95 years. It would cover at least one square mile, 200 feet high, at the base of the Jackson Mountain Wilderness Area and the Jungo delta of the Black Rock Desert. Environmental impacts that may exist with the proposed project have not been completely evaluated. Most important of these are: 1) a threat to groundwater and municipal water supplies, 2) the transport of contaminated soils and dried wastewater treatment sludge by prevailing winds to occupied areas and communities in the vicinity of the site, and 3) the impact to numerous wildlife species that will be attracted to contaminated slurry collected adjacent to the waste piles.

In a *Wall Street Journal* article dated November 6, 2009 Recology admitted miscalculating the community's reaction to the project. Chief Executive Michael Sangiacomo was quoted in the article, saying, "We went in there thinking, perhaps naively, this wouldn't be that big a deal." In our opinion, Recology and their subsidiary Jungo Land and Investments, Inc. (JLII) have shown little concern for the long-term welfare of the public or the environment, instead showing more interest in corporate profits and business growth.

We further believe that the State of Nevada has been unable to properly review the proposed landfill. Specific site data and impact analysis are incomplete and are absent the contributions from environmental professionals who routinely provide analysis to projects covered under National Environmental Policy Act (NEPA) review. To illustrate this, it was recently learned and reported to state and county officials that state regulators (Nevada Division of Environmental Protection {NDEP}) have failed to ask a sister state agency (Nevada Department of Wildlife {NDOW}) to assess the impacts of this project to wildlife, including Threatened and Endangered, sensitive, and species covered under the Migratory Bird Treaty Act. Moreover, information has been presented to regulatory officials citing relevant U.S. Geological Survey (USGS) data suggesting critical analyses have not been conducted concerning the potential for groundwater contamination and the significant risk posed to domestic water supplies in Winnemucca, Lovelock, Imlay, and to Desert Valley.

Recognizing the potential risk this project poses to the health and safety of this area, US Senator for Nevada Harry Reid secured funding for a comprehensive study to be conducted by the USGS. The long-term goal of this study is to evaluate the potential for environmental threats and to assess the human risk posed by long-term groundwater contamination. Our **concern** is that JLII could secure State and County permits and begin construction on this project before this critical study is completed. Our **plea** is that you will intervene and carefully examine all the facts surrounding this project and evaluate this site to best provide for public health & safety, environmental stewardship, and the sustained economic growth to this area. We are requesting your assistance prior to further permitting and construction. This request is contrasted by state and local regulatory goals of generating tax revenue streams or corporate profits at any expense.

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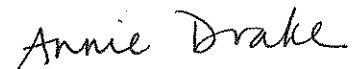
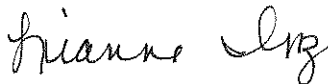
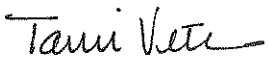
It is our position that under no circumstances should a waiver be granted by regulators pertaining to standards outlined under (NAC 444.678) which, if granted, would allow the placement and storage of toxic slurry closer to the static groundwater in the aquifer than allowed by state law.

NDEP's "role in this decision to allow the Jungo Disposal Site to operate at the proposed location is minimal and only related to ensuring the operating company meets state and federal environmental standards related to landfills." NDEP has made this statement publicly, and has at the same time omitted critical data offered to help in analyzing the risks to groundwater, wildlife, and the fugitive transport of contaminants and long-term air quality. The reluctance of the applicants to complete and offer an EIS for this proposal has omitted much of the vetting required to properly permit such a project. Absent that opportunity to evaluate the Jungo project through a comprehensive EIS, we feel additional regulatory review is needed to close gaps in data collection and analysis and omissions in the project application.

We therefore request that the US Environmental Protection Agency, US Fish and Wildlife Service, and the Bureau of Land Management (BLM) conduct a full environmental review of the project under the terms of the National Environmental Policy Act (NEPA), the Clean Water Act, and the Clean Air Act prior to issuing permits. It is our contention that the federal government has jurisdiction over this site given the proximity to federal lands managed by the BLM, the groundwater below, and the air quality standards adjacent to the proposed site.

We strongly believe that if the proposed project is allowed to move forward in its present form, prior to the completion of a thorough environmental and groundwater evaluation, the probability exists for substantial harm to these fragile ecosystems and many of the communities within this region. Thank you for your time and expertise in this matter.

Sincerely,



Tami Vetter, Lianne Iroz, Annie Drake
Nevadans Against Garbage

cc:

US Senator Harry Reid
US Senator John Ensign
US Congressman Dean Heller
US Congresswoman Dina Titus
US Congresswoman Shelley Berkley
NV State Senator Dean Rhoads
NV State Assemblyman Pete Goicoechea
NV State Assemblyman Don Gustavson
NV State Assemblyman John Carpenter
Nevada Governor Jim Gibbons
US Environmental Protection Agency HQ
US Army Corps of Engineers
US Department of the Interior
US Fish and Wildlife Service
Bureau of Reclamation
US Geological Survey
US Bureau of Land Management

NV Department of Conservation and Natural Resources
NV State Environmental Commission
Nevada Division of Environmental Protection
Nevada Department of Wildlife
NV Rural Development Council
Fort McDermitt Paiute/Shoshone Tribes
Summit Lake Paiute Tribe
Winnemucca Indian Colony
Humboldt County Board of Commissioners
Humboldt County District Attorney
Winnemucca City Council
Winnemucca City Attorney
Humboldt County Regional Planning Commission
Humboldt Development Authority
Lander County Commissioners
Pershing County Commissioners
Lovelock City Council